

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

HEATHER KIERNAN,

Plaintiff,

-v-

CIVIL NO. 04-10131 RBC

ARMORED MOTOR SERVICE OF
AMERICA, INC., ET AL.

Defendant.

**PLAINTIFF HEATHER KIERNAN'S OPPOSITION TO THE
DEFENDANT ARMORED MOTOR SERVICE OF AMERICA, INC.'S
MOTION TO REOPEN DISCOVERY FOR THE LIMITED PURPOSE OF
DEPOSING DELKEN DRY CLEANERS**

Plaintiff, by and through her counsel, hereby opposes the Defendant Armored Motor Service of America, Inc.'s (AMSA) Motion to Reopen Discovery for the Limited Purpose of Deposing Delken Dry Cleaners.

In support of her opposition, the undersigned respectfully represents:

1. On Friday, November 18, 2005, the Plaintiff was deposed and was specifically asked about Delken Dry Cleaners, her employment with this company, and the circumstances around her termination which took place prior to the birth of Plaintiff's son, and her employment with AMSA. At the deposition, the Plaintiff admitted that she was not truthful at her deposition on June 17, 2005. Defendant's counsel fully examined her on this issue.
2. As Plaintiff has admitted that her testimony was not truthful at the

time, and explained why it was not truthful, there is no legitimate reason to continue any discovery on this issue. The issue of her credibility was fully and fairly examined by Defendant AMSA's counsel on November 18, 2005. Any further inquiry into this issue – in light of the Plaintiff's admissions on November 18, 2005 – are solely for the purpose of harassing and oppressing this Plaintiff.

WHEREFORE, the Plaintiff respectfully requests that Defendant AMSA's motion be denied.

Respectfully submitted:
HEATHER KIERNAN

DATED: November 21, 2005

/s/ William J. McLeod
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Certificate of Service

In accordance with the rules of this Court's, on November 21, 2005 I caused to be served a true copy of this document on the following participants in the Court's ECF System:

David R Ardito, for Defendant Ciambriello
William R. Connolly, for the Bristol County Assistant District Attorney
Laurence J. Donoghue, for Defendant AMSA
Robert P. Joy, for Defendant AMSA
Allison K. Romantz, for Defendant AMSA

And via US Mail on the following non-participants:

Karen E. Olson
Morgan, Brown & Joy LLP
200 State Street
Boston, MA 02110 for AMSA

/s/ William J. McLeod

William J. McLeod